

**SEALED**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

12 DEC 19 PM 4:20

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AARON MCGRATH,

Defendant.

The Grand Jury charges:

8:12CR 422

**INDICTMENT**

18 U.S.C. § 2252A(g)

18 U.S.C. § 2251(d)(1) and (e)

18 U.S.C. § 2251(d)(1)

18 U.S.C. § 2252A(a)(1)

18 U.S.C. § 2252A(a)(5)(B)

OFFICE OF THE CLERK

**COUNT I**

Between on or about January 19, 2009, and on or about November 15, 2012, in the District of Nebraska and elsewhere, AARON MCGRATH, the defendant herein, did knowingly engage in a child exploitation enterprise, that is AARON MCGRATH violated Chapter 110 of Title 18 of the United States Code, as a part of a series of felony violations constituting three or more separate incidents and involving more than one minor victim, which offenses are described in Counts III – VII of this Indictment, incorporated herein, and committed those offenses in concert with three or more other persons.

In violation of Title 18, United States Code, Section 2252A(g).

**COUNT II**

Between on or about January 19, 2009, and on or about November 15, 2012, in the District of Nebraska and elsewhere, AARON MCGRATH, the defendant herein, did knowingly conspire to make, print, and publish, and cause to be made, printed, and published, any notice and advertisement seeking and offering to receive, exchange, buy, produce, display, distribute, and reproduce, any visual depiction, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct and such visual depiction was of such conduct; and

participation in any act of sexually explicit conduct by and with any minor for the purpose of producing a visual depiction of such conduct; knowing and having reason to know that such notice or advertisement would be transported using any means or facility of interstate or foreign commerce and in or affecting interstate and foreign commerce by any means, including by computer, and such notice and advertisement was transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2251(d)(1) and (e).

### **COUNT III**

Between on or about January 19, 2009, and on or about November 15, 2012, in the District of Nebraska and elsewhere, AARON MCGRATH, the defendant herein, did knowingly make, print, and publish, and cause to be made, printed, and published, any notice and advertisement seeking and offering to receive, exchange, buy, produce, display, distribute, and reproduce, any visual depiction, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct and such visual depiction was of such conduct; and participation in any act of sexually explicit conduct by and with any minor for the purpose of producing a visual depiction of such conduct; knowing and having reason to know that such notice or advertisement would be transported using any means or facility of interstate or foreign commerce and in or affecting interstate and foreign commerce by any means, including by computer, and such notice and advertisement was transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2251(d)(1).

**COUNT IV**

On or about February 13, 2011, in the District of Nebraska, AARON MCGRATH, the defendant herein, knowingly transported and shipped, using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, any child pornography, as defined in Title 18 United States Code, Section 2256(8)(A).

In violation of Title 18, United States Code, Section 2252A(a)(1).

**COUNT V**

On or about April 12, 2012, in the District of Nebraska, AARON MCGRATH, the defendant herein, knowingly transported and shipped, using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, any child pornography, as defined in Title 18 United States Code, Section 2256(8)(A).

In violation of Title 18, United States Code, Section 2252A(a)(1).

**COUNT VI**

On or about September 18, 2012, in the District of Nebraska, AARON MCGRATH, the defendant herein, knowingly transported and shipped, using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, any child pornography, as defined in Title 18 United States Code, Section 2256(8)(A).

In violation of Title 18, United States Code, Section 2252A(a)(1).

**COUNT VII**

On or about November 15, 2012, in the District of Nebraska, AARON MCGRATH, the defendant herein, knowingly possessed any book, magazine, periodical, film, videotape, computer disk, and any other material that contained an image of child pornography that has been mailed, and shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that have been mailed, and shipped and transported in an affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

**FORFEITURE ALLEGATION**

Upon conviction for violating an offense involving a visual depiction described in Title 18, United States Code, Section 2252A, the defendant herein, AARON MCGRATH, shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation; and any and all property used or intended to be used in any manner or part to commit and to promote the commission of the aforesaid to violation, including but not limited to the following:

HP Desktop, serial number P6674Y; and

Lenovo Laptop, serial number WB02035214

In violation of Title 18, United States Code, Section 2253.


A TRUE BILL

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

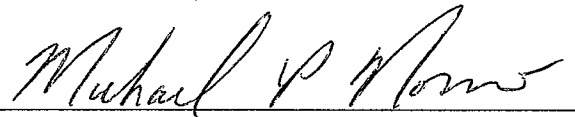
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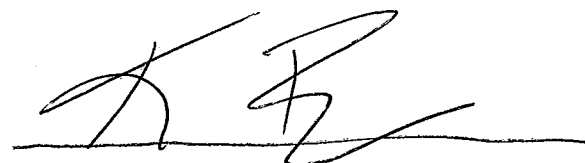
THE CLERK

FOREPERSON

  
DEBORAH R. GILG  
United States Attorney

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.

  
MICHAEL P. NORRIS  
Assistant U.S. Attorney

  
Keith Becker  
Trial Attorney  
United States Department of  
Justice